

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.1174 of 2025**

Arising Out of PS. Case No.-8 Year-2025 Thana- CHAPRA MUFFASIL District- Saran

Kallu Ray @ Kallu Rai @ Kallu Kumar S/o- Bhola Ray Vill- Bishunpura  
Mahaji PS-Chapra Muffasil Dist- Saran at Chapra

... .. Appellant

Versus

1. The State of Bihar
2. Rubin Kumar Chaudhary S/o- Arbind Chaudhary Village- Makhdumganj Ps-  
Chapra Muffasil Dist- Saran at Chapra

... .. Respondents

**Appearance :**

|                      |   |                               |
|----------------------|---|-------------------------------|
| For the Appellant/s  | : | Mr. Rakesh Kumar              |
| For the Respondent/s | : | Mr. Binay Krishna             |
| For the Resp. No.2   | : | Mr. Anjani Parashar, Advocate |

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
ORAL ORDER

4      25-11-2025                      Heard learned counsel for the appellant, learned  
Special Public Prosecutor for the State and learned counsel for  
the informant / respondent no.2.

2.      This appeal is preferred against the order dated 22.02.2025 passed by the learned Exclusive Special Judge, S.C./S.T., Saran at Chapra, in connection with Chapra Muffasil P.S. Case No.08 of 2025 registered for the offence under sections 281, 115(2), 118(1), 125, 352, 351(2) & 3(5) of the B.N.S., 2023 and under sections 3(1)(r) of the S.C./S.T. Act, by which the prayer of the appellant for grant of anticipatory bail has been rejected.

3.      As per the F.I.R., the informant was hit



with a tractor which was driven by the appellant. When the informant objected, the appellant and co-accused namely, Dipak Rai abused him by saying his caste name and also assaulted him. It has also been alleged that co-accused Dipak Rai inflicted knife blow on the head of the informant.

4. Learned counsel for the appellant submits that the present appellant has clean antecedent and there is case and counter case between the parties. He further submits that even if the allegations made in the F.I.R. are treated to be true then also it is a case of road rage.

5. Learned Special Public Prosecutor for the State and learned counsel for the informant opposed the prayer of the appellant for grant of bail.

6. Having considered the submissions of the parties and on perusal of the F.I.R. it appears that it is a case of road rage.

7. Accordingly, this appeal is allowed and the the impugned order dated 22.02.2025 is set aside.

8. Let the appellant, in the event of his arrest or surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned Exclusive Special Judge, S.C./S.T., Saran at Chpara /  
concerned Court, in connection with Chapra Muffasil P.S. Case  
No.08 of 2025, subject to the conditions laid down under  
Section 438(2) of the Code of Criminal Procedure/482(2) of the  
BNSS.

**(Sandeep Kumar, J)**

pawan/-

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